

## Message Text

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ACTION EA-14

INFO OCT-01 ISO-00 CIAE-00 PM-07 H-03 INR-11 L-03 NSAE-00

NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20 USIA-15 CU-05

COME-00 EB-11 LAB-06 SIL-01 IO-14 OMB-01 DRC-01 /129 W

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R 161137Z SEP 74

FM AMEMBASSY BANGKOK

TO SECSTATE WASYDC 6780

INFO AMCONSUL CHIANG MAI

AMCONSUL UDORN

CINCPAC

DIA WASHDC

USSAG NAKHON PHANOM

13TH ADVON UDORN

AMEMBASSY KUALA LUMPUR

AMEMBASSY PHNOM PENH

AMEMBASSY RANGOON

AMEMBASSY SAIGON

AMEMBASSY VIENTIANE

C O N F I D E N T I A L BANGKOK 14875

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: PGOV, PINT, TH

SUBJECT: SECOND READING OF THAI DRAFT CONSTITUTION COM  
OATED

REF: A) BANGKOK 2540; B) BANGKOK 13466; C) BANGKOK 14563

SUMMARY

THE NATIONAL LEGISLATIVE ASSEMBLY FINISHED ITS SECOND  
READING OF THE DRAFT CONSTITUTION SEPTEMBER 14. WITHIN TWO  
WEEKS THE DRAFT WILL ALMOST CERTAINLY PASS THE THIRD READING  
AND BE READY FOR PROMULGATION BEFORE OCTOBER 14, ANNIVERSARY  
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OF THE FALL OF THE FORMER GOVERNMENT. A PRELIMINARY REVIEW

OF THE SEPTEMBER 12-14 DEBATES REVEALS THAT THE ASSEMBLY DID NOT MAKE MANY MAJOR CHANGES IN ITS HURRIED DELIBERATIONS ON THE REMAINING ARTICLES. SURPRISINGLY, THE ASSEMBLY INCREASED THE WAITING TIME BEFORE ELECTIONS TO UP TO 120 DAYS FROM PROMULGATION, PUSHING ELECTIONS INTO FEBRUARY 1975. END SUMMARY.

1. IN ITS SEPTEMBER 12-14 DEBATES, THE NATIONAL LEGISLATIVE ASSEMBLY (NLA) DELIBERATED AND PASSED THE 104 REMAINING ARTICLES OF THE DRAFT CONSTITUTION (REFS A AND B). THE NLA HAD EARLIER CONSUMED FIVE WEEKS DEBATING THE FIRST 117 ARTICLES. THE QUICK ACTION RESULTS FROM THE SPECTRE HAUNTING THE NLA OF POSSIBLE DEMONSTRATIONS IN CONNECTION WITH THE FORTHCOMING CREMATION CEREMONY ON OCTOBER 14 FOR VICTIMS OF THE 14 OCTOBER 1973 VIOLENCE.

2. WITHIN TWO WEEKS THE DRAFT CONSTITUTION WILL ALMOST CERTAINLY PASS THE PRO-FORMA THIRD READING. NLA SPEAKER M.R. KHUKRIT PRAMOT RECENTLY SUGGESTED OCTOBER 8 AS PROPITIOUS FOR PROMULGATION SINCE IT IS THE ANNIVERSARY OF KING CHULALONGKON'S FREEING OF THE SLAVES.

3. A PRELIMINARY REVIEW OF THE MOST RECENT BATCH OF ARTICLES SUGGESTS THAT THE ASSEMBLY DID NOT MAKE MANY MAJOR CHANGES IN ITS HURRIED DELIBERATIONS. IT CONFIRMED A RESTRICTED ROLE FOR THE SENATE, FORMALIZED THE ROLE OF OPPOSITION LEADER IN THE LOWER HOUSE, AND APPROVED INCREASED QUORUM VOTES (REF C). WITHOUT MUCH HESITATION THE NLA ELIMINATED THE LOCAL SELF-GOVERNMENT ARTICLES. AFTER THE NLA COMPLETED ITS WORK IN THE TWILIGHT HOURS OF SEPTEMBER 14, THE DRAFT CONSTITUTION HAD 238 ARTICLES. THE INCREASE, RESULTS FROM RAISING SUB-CLAUSES TO FULL ARTICLE STATUS.

4. SURPRISINGLY, THE ASSEMBLY INCREASED THE TIME FRAME WITHIN WHICH ELECTIONS MUST BE HELD FROM 90 TO 120 DAYS AFTER PROMULGATION. THIS PUSHES ELECTIONS BACK TO FEBRUARY 1975, THE SAME MONTH IN WHICH THEY OCCURRED SIX YEARS AGO. MINISTRY OF INTERIOR OFFICIALS HAD EARLIER EXPRESSED CONCERN THAT THE 90-DAYS LIMIT WOULD NOT ALLOW SUFFICIENT TIME TO CONDUCT THE ELECTIONS PROPERLY.

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5. WHILE THE ASSEMBLY SPED THROUGH MOST OF ITS WORK, THE DEBATE WAS PROTRACTED ON A COUPLE OF ISSUES. THE RIGHTS AND PRIVILEGES OF THE ROYALLY APPOINTED MEMBERSHIP OF THE CONSTITUTIONAL TRIBUNAL WAS DISCUSSED AT LENGTH. THE ASSEMBLY ALSO SPENT PRECIOUS HOURS REHASHING THE ISSUES RAISED OVER THE THANAT KHOMAN FOREIGN TROOPS BILL (BANGKOK 14110) DURING ITS CONSIDERATION OF ARTICLE 185 WHICH REQUIRES PARLIAMENTARY APPROVAL OF TREATIES. INTELLECTUALLY

AND POLITICALLY THANAT TOOK A CONSIDERABLE BEATING.

6. COMMENT: THE SPEED WITH WHICH THE NLA CONSIDERED ALMOST HALF OF THE ARTICLES IN THE DRAFT CONSTITUTION CONTRASTS SHARPLY WITH THE TIME CONSUMING EARLIER DEBATES. NEVERTHELESS, MANY ASSEMBLYMEN KNEW WHAT THEY WANTED IN A CONSTITUTION. THE DESIRE TO FINISH THE JOB CRAMPED THE STYLE ONLY OF THOSE WHO WERE USING THE NATIONALLY BROADCAST NLA DEBATES TO INCREASE THEIR OWN POLITICAL IMAGES. THE APPEARANCE OF DELIBERATE AND CONSCIOUS DEBATE, HOWEVER, HAS BEEN PART OF THE PUBLIC RELATIONS PROCESS AIMED AT CREATING A PUBLIC CONSENSUS BEHIND THIS CONSTITUTION.

7. THAILAND HAS REACHED A MILESTONE. THE COMPLETION OF THE CONSTITUTION DRAFTING PHASE OPENS THE DOOR TO POLITICAL CAMPAIGNING, WHICH NOW MAY LAST UP TO 120 INSTEAD OF 90 DAYS FROM PROMULGATION. DURING THIS PERIOD, POLITICAL PARTIES AND INTEREST GROUPS WILL COMPETE FOR AND PROBABLY TAKE THE HEADLINES FROM THE STRIKERS AND STUDENT ACTIVISTS.  
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## Message Attributes

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